

Message Text

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ORIGIN EB-11

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O 051510Z APR 74

FM SECSTATE WASHDC

TO AMEMBASSY NASSAU IMMEDIATE

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E.O. 11652: N/A

TAGS: ETRN, BD

SUBJECT: CIVAIR - PRECLEARANCE

REF : NASSAU 576

1. EMBASSY SHOULD DELIVER RESPONSE TO LEWIS LETTER
(NASSAU 392) AS INDICATED IN PARA 2 THROUGH 7 BELOW.
AT SAME TIME EMBASSY SHOULD INFORM GCOB THAT USG
PREPARED TO ACCEPT MODIFICATIONS IN PRECLEARANCE
AGREEMENT DISCUSSED IN BAHAMAS LAST DECEMBER
(NASSAU 576 EXCEPT ARTICLE 4C OF AGREEMENT AND
CHANGES IN FACILITIES ANNEX). AS INDICATED IN OUR
LETTER BELOW TO LEWIS, HIS SUGGESTION THAT PROVISION
BE INSERTED CALLING FOR RENTAL PAYMENT RAISES
INSURMOUNTABLE PROBLEM. (NO PRECEDENT IN OTHER
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AGREEMENTS AND FUNDS NOT AVAILABLE.) THERE ALSO

ARE PROBLEMS WITH SUBSTITUTION OF COUNTERS FOR CONVEYORS AND WITH POSTPONEMENT OF FACILITIES. IF GCOB AGREEABLE ON RENTAL AND COUNTER PROBLEMS, WE THINK WE COULD WORK OUT COMPROMISE ON FACILITIES COMPLETION DATE BEFORE APRIL 9 CABINET MEETING, POSSIBLY BY PHASING IN IMPROVEMENTS.

2. BEGIN QUOTE: DEAR DANN: WE HAVE CONSIDERED THE SUGGESTIONS IN YOUR LETTER OF MARCH 4 FOR MODIFICATIONS OF THE PRECLEARANCE AGREEMENT INITIALED AUGUST 7, 1973. THEY RAISE DIFFICULT NEW QUESTIONS AT A TIME WHEN WE HOPED WE WERE ABOUT TO CONCLUDE AN AGREEMENT WHICH MET THE DEMANDS OF THE BAHAMIAN GOVERNMENT FOR THE CONTINUATION OF PRECLEARANCE AND THE REQUIREMENTS OF U.S. INSPECTION SERVICES FOR IMPROVED INSPECTION FACILITIES.

3. THE SUGGESTION THAT THE AGREEMENT PROVIDE THAT THE U.S. SHOULD PAY A RENTAL FEE FOR SPACE IN NASSAU IS THE MOST SERIOUS OF THE THREE POINTS YOU RAISE. NEITHER THE CANADA NOR THE BERMUDA AGREEMENT HAS SUCH A PROVISION AND I REALLY SEE NO LIKELIHOOD OF OUR AGREEING TO SUCH A PROVISION IN THE BAHAMAS AGREEMENT.

4. ON THE OTHER HAND, I WONDER IF THERE COULD BE SOME CONFUSION AS TO THE SIGNIFICANCE OF THE APPROPRIATION TO THE TREASURY DEPARTMENT FOR FISCAL YEAR 1974 OF 100,000 DOLLARS FOR PAYMENT FOR PRECLEARANCE SPACE. OBVIOUSLY, THIS AMOUNT WOULD BE ONLY A DROP IN THE BUCKET TO PAY RENTAL FOR THE PRECLEARANCE SPACE USED IN THE THREE JURISDICTIONS WHERE PRECLEARANCE IS PRESENTLY OPERATED. IN FACT, THE FUNDS WERE PROVIDED ONLY TO TAKE CARE OF SPECIAL COSTS ABOVE AND BEYOND NORMAL PRECLEARANCE OPERATIONS PROVIDED FOR UNDER THE AGREEMENTS WE ARE NEGOTIATING. I UNDERSTAND THAT CUSTOMS HAS SET ASIDE A PORTION OF THESE FUNDS FOR THE BAHAMAS, BUT WILL NOT ENTER INTO DISCUSSIONS ON THE USE OF THIS FUND UNTIL AN AGREEMENT ON PRECLEARANCE HAS BEEN SIGNED. IN THIS LIMITED OFFICIAL USE

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CONNECTION, I WOULD POINT OUT THAT THE FUNDS WILL HAVE TO BE OBLIGATED BEFORE THE END OF THIS FISCAL YEAR, JUNE 30, 1974, OR BE RETURNED TO THE U.S. TREASURY. TO DATE NO FUNDS HAVE BEEN BUDGETED FOR THIS PURPOSE FOR FISCAL YEAR 1975.

5. A SECOND SUGGESTION IS THE SUBSTITUTION OF COUNTERS FOR CONVEYORS. CUSTOMS IS VERY MUCH OPPOSED TO THIS. IN CANADA, COUNTERS ARE BEING USED ON

A TEMPORARY BASIS AT TWO POINTS AND BOTH THE TRAVELING PUBLIC AND THE INSPECTORS HAVE COMPLAINED THAT THE ABSENCE OF CONVEYORS MAKES BAGGAGE HANDLING MUCH MORE DIFFICULT. WE WOULD NOT OBJECT OF COURSE IF YOU NEEDED TO USE COUNTERS TEMPORARILY PENDING RECEIPT OF THE NECESSARY CONVEYORS, AS IS THE CASE IN CANADA. (THIS WOULD NOT REQUIRE A CHANGE IN THE TEXT OF THE FACILITIES ANNEX.)

6. THIS BRINGS ME TO THE THIRD POINT IN YOUR LETTER WHICH RELATES TO A PROPOSED DELAY IN COMPLETION OF FACILITIES FROM FOUR MONTHS TO NINE MONTHS. AGAIN I WOULD LIKE TO CALL ATTENTION TO THE CONCERN WE HAVE ABOUT THE POSTPONEMENT OF COMPLETION OF THESE FACILITIES WHICH HAS ALREADY TAKEN PLACE. AT THIS POINT WE WOULD HOPE THAT THE NEW FACILITIES COULD BE IN PLACE BY THE END OF THIS SUMMER. HOWEVER, IF YOU FORESEE SPECIFIC PROBLEMS WHICH COULD DELAY CERTAIN ASPECTS FOR ANOTHER ONE OR TWO MONTHS, I AM SURE THAT OUR INSPECTION PEOPLE WOULD CONSIDER THESE PROBLEMS.

7. I HOPE THAT YOU WILL BE ABLE TO CONVINCE YOUR PRINCIPALS TO FOREGO THE PROPOSED CHANGE IN ARTICLE IV, SINCE ANYTHING ELSE WOULD SERIOUSLY JEOPARDIZE THE PROGRESS WE HAVE MADE TOWARD ASSURING THE CONTINUATION OF PRECLEARANCE IN THE BAHAMAS. YOU MAY THEN WISH TO GIVE THE EMBASSY FURTHER DETAILS ON YOUR PROBLEMS IN MEETING THE DEADLINE FOR COMPLETION OF THE FACILITIES AND I WOULD BE PLEASED TO SEE WHAT CAN BE DONE TO MEET YOUR REQUIREMENTS.

SINCERELY YOURS,
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DAVID B. ORTMAN, CHAIRMAN, U.S. PRECLEARANCE
DELEGATION END QUOTE.

8. FYI: WE UNDERSTAND THAT OF THE 100,000 DOLLARS REFERRED TO IN PARA 4, TREASURY PLANS TO ALLOT 25,000 DOLLARS CASH EACH TO BAHAMAS AND BERMUDA. END FYI.
RUSH

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